

Application No. 10/016,870
Reply to the Office Action mailed January 21, 2005

REMARKS/ARGUMENTS

Claims 1-6, 9 and 12-19 remain in the application. Claims 1-6, 9, 12-13, 15 and 17-18 have been amended to clarify the context of the invention. Claims 7-8 and 10-11 have been cancelled without prejudice.

Claim Objections

Claims 10 and 12 were objected to for informalities. Particularly, "an machine" was objected to in line 2 of claims 10 and 12. Accordingly, "an" has been replaced by "a" in claim 12 as suggested by the Examiner to correct this typographical error. Claim 10 has been cancelled and therefore this objection is now moot.

Claim Rejections - 35 USC § 112

Claims 1-19 were rejected under 35 USC § 112, first paragraph, as alleged failing to comply with the enablement requirement. Particularly, the Examiner indicates that the Applicant has failed to indicated in the Specification how the maximum void size is determined and has failed to provide numerical dimensions for the void size that would limit flame propagation.

The Applicant believes that one of ordinary skill in the art would in fact appreciate how to determine the maximum void size, and that therefore the enablement requirement is in fact fulfilled without having to indicate in the Specification numerical dimensions for the suitable void sizes that would limit flame propagation therethrough. For example, US patents 4,013,190 and 6,494,189 teach flame arrestors having pores of given size selected such that flame propagation therethrough is prevented and the flame is thus quenched. Thus, one skilled in the art would be able to consider the teachings of these and other references known in the art of flame arresting, in order to determine the maximum void size of the present fire retarding device, which will of course vary depending on arrestor material type and configuration, expected fuel source and the particular application in which the flame arrester is being employed. Therefore, the Applicant believes it unnecessary to provide numerical dimensions for the suitable void sizes that would limit flame propagation through the fire retarding device, as one of ordinary skill in the art will readily appreciate, as evidenced by the above-references documents for example, how such a parameter is determined depending on the particular conditions at hand. Thus, reconsideration and withdrawal of the rejection of claims 1-19 under 35 USC § 112, first paragraph, is respectfully requested.

Claim Rejections - 35 USC § 102

Claims 1, 3-4, 8, 10, 12, 17 and 19 remained rejected under 35 USC § 102(e) as being anticipated by Alhamad (US 6,349,774).

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Applicant believes that in view of amended independent claims 1 and 12 as presently submitted and the comments below, this rejection is now moot.

Particularly, Alhamad teaches an expandable metal sheet which, when longitudinally stretched, forms a "three dimensional" metal net (column 2, lines 29-31). While Alhamad does indicate that one of the manners in which the expanded metal net extinguishes fires over which it is laid is based on the phenomenon that flame at the surface of a burning material cannot pass upwardly through the pores or eyes of the metal net, the expanded metal prismatic net produced (depicted in Figs. 3A-3E for example) by longitudinally stretching the metal foil sheet 10 produces open pores or eyes 16 therein which extend straight through the net. Thus, in the stretching procedure, the horizontal surfaces of the foil are raised to a vertical position, taking on a honeycomb-like structure. (col. 5, lines 65-67) This accordingly forms a *single layer* net structure in which each and every pore or eye 16 defined therein *extends fully through the thickness of the prismatic net*. Such eyes 16 therefore each extend straight through the full thickness of the single layer net, and are not *interconnected* such that they (i.e. the pores or eyes) are disposed in *communication* with each other *throughout the thickness* of the net. Further, the metal portions of the foil sheet (namely the gaps 12 between aligned slits 11 and distances 14 between rows) which form the honeycomb-like structure of the prismatic net, clearly cannot be said to be filaments. Further still, Alhamad fails to teach a gas turbine engine as claimed.

Alhamad discloses two distinct embodiments for the expandable metal net taught. In sheet form (Fig. 2), once expanded, it is laid on top of a burning fire which is already ignited in order to attempt to limit or extinguish it. In an alternate embodiment, (Fig. 6) an ellipsoid metal structure is placed *inside* a container for use as a flame arrestor and anti-explosion barrier, thus limiting any damage which may result should such a container of flammable fluid (such as a fuel tank) explode. Therefore, in addition to the structural differences discussed above between Alhamad and the present invention, nothing taught nor suggested by Alhamad provides for a *preventative* fire retarding member (which doesn't require manual expansion thereof in order to function), which is fixed to the exterior surface of a hot casing (such as of a gas turbine engine) and therefore acts to limit flame propagation through the member should any flammable fluid contact the hot casing.

Accordingly, the Applicant submits that amended claims 1 and 12 as presently submitted are novel over Alhamad, and that therefore dependent claims 3-4, 8, 17 and 19 are similarly novel. Reconsideration of their rejection under 35 U.S.C. § 102(e) is therefore respectfully requested.

Claim rejections 35 U.S.C. § 103

Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Alhamad.

Claims 2, 7-8, 13-14 and 18 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Alhamad in view of Gooliak (US 2003/0060107).

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Further, claims 5 and 6 were rejected as being obvious over Alhamad in view of Nevin (GB 2,266,051).

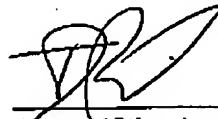
In view of the claims as presently amended, the comments above and at least in view of the dependence of claims 2 and 5-6 on amended claim 1 and the dependence of claims 13, 14 and 18 on amended claim 12, the subject matter of these dependent claims is also believed to be neither taught nor suggested by Alhamad, Gooliak or Nevin, either alone or in combination. Reconsideration is therefore respectfully requested.

It is submitted therefore that claims 1-6, 9 and 12-19 are now in condition for allowance. Reconsideration of the Examiner's rejections is respectfully requested.

In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited.

Respectfully,

June 20, 2005
Date

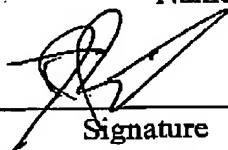


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